

FISCAL IMPACT STATEMENT ON BILL NO. **S. 273**

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TO:	The Honorable Harvey S. Peeler, Chairman, Senate Medical Affairs Committee		
FROM:	Office of State Budget, Budget and Control Board		
ANALYSTS:	R.J. Stein, Torina Wood		
DATE:	February 17, 2009	SBD:	2009082

AUTHOR:	Senator Thomas	PRIMARY CODE CITE:	44-7-350
SUBJECT:	Residential Care Facilities - Removal of Patient		

ESTIMATED FISCAL IMPACT ON GENERAL FUND EXPENDITURES:

A Cost to the General Fund (See Below)

ESTIMATED FISCAL IMPACT ON FEDERAL & OTHER FUND EXPENDITURES:

\$0 (No additional expenditures or savings are expected)

BILL SUMMARY:

Senate Bill 273 amends Section 44-7-350 of the Code of Laws of South Carolina, 1976, by adding the statement that the Department of Health & Environmental Control may not order the removal of a resident from a community residential care facility if the resident, resident's family, resident's physician and the facility agree to the resident's continued stay, and the facility is capable of providing, obtaining or arranging for the necessary services for the patient.

EXPLANATION OF IMPACT:

Department of Health & Environmental Control

The Department reports that an additional 0.50 FTE would be needed (once the Department makes an initial determination that a resident should be moved) to investigate all such disputes, re-evaluate the conditions of the resident and the facility, and coordinate the activities among all parties mentioned in the Bill. This cost is estimated at \$21,468 annually including \$19,968 for salary and fringes and \$1,500 in travel expenses.

Other Agencies

The Department of Disabilities and Special Needs and the Department of Mental Health indicate that this Bill would have no impact on the State General Fund or on Federal and/or Other Funds.

LOCAL GOVERNMENT IMPACT:

None.

SPECIAL NOTES:

The Bill is similar to House Bill 3115. Both Bills deal with the order of removal of a patient by DHEC from a residential care facility. H.3115 states that DHEC must not order the removal of a resident if all parties agree to continued stay. S273 states that DHEC may not order the removal of a resident if all parties agree to the continued stay of that resident.

Approved by:



Harry Bell
Assistant Director, Office of State Budget